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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 JAMES DANIEL ALEXANDER,
12 Petitioner,
13 v.
14 RAYMOND MADDEN, Warden,
15 Respondent.
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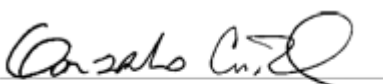
Case No. 15cv2498 GPC (RBB)

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

17 Petitioner, a state prisoner proceeding pro se, has filed a Petition for Writ of Habeas
18 Corpus pursuant to 28 U.S.C. § 2254, but has failed to pay the \$5.00 filing fee and has
19 failed to move to proceed in forma pauperis. Because this Court cannot proceed until
20 Petitioner has either paid the \$5.00 filing fee or qualified to proceed in forma pauperis, the
21 Court **DISMISSES** the case without prejudice. See Rule 3(a), 28 U.S.C. foll. § 2254. If
22 Petitioner wishes to proceed with this case, he must submit, **no later than January 19,**
23 **2016**, a copy of this Order with the \$5.00 fee or with adequate proof of his inability to pay
24 the fee. The Clerk of Court shall send a blank Southern District of California In Forma
25 Pauperis Application to Petitioner along with a copy of this Order.

26 **IT IS SO ORDERED.**
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1 Dated: November 16, 2015

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3 Hon. Gonzalo P. Curiel
4 United States District Judge
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